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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
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11 MICHAEL ZELENY,

12 Plaintiff,

13 vs.

14 GAVIN NEWSOM, *et al.*,

15 Defendants.
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Case No. CV 17-7357 JCS

Assigned to:

The Honorable Richard G. Seeborg

Discovery Matters:

The Honorable Thomas S. Hixson

DECLARATION OF COUNSEL

Action Filed: December 28, 2017

Trial Date: TBD
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1 I, David Markevitch, declare:

2 1. I, as counsel at Affeld Grivakes LLP, am counsel of record to plaintiff Michael
3 Zeleny ("Plaintiff") in this matter. I have personal knowledge of the facts below and could
4 testify competently to those facts if called upon to do so. I submit this declaration concurrently
5 with a Joint Letter Brief Regarding 30(b)(6) Deposition of State of California.

6 2. A true copy of pertinent excerpts of Defendant Attorney General Xavier Becerra's
7 Responses to Plaintiff Michael Zeleny's First Set of Interrogatories is attached as **Exhibit 1**.

8 3. A true copy of pertinent excerpts of Defendant Attorney General Xavier Becerra's
9 Responses to Plaintiff Michael Zeleny's Interrogatories, Set Two is attached as **Exhibit 2**.

10 4. A true copy of Defendant Attorney General Xavier Becerra's Answer to Plaintiff
11 Michael Zeleny's Complaint for Declaratory and Injunctive Relief is attached as **Exhibit 3**.

12 5. A true copy of a webpage found at <https://oag.ca.gov/careers/aboutus>,
13 downloaded on April 29, 2020 is attached as **Exhibit 4**.

14 6. A true copy of a letter dated February 24, 2020 that I received from counsel for
15 Attorney General Xavier Becerra is attached as **Exhibit 5**.

16 7. A true copy of pertinent excerpts of a transcript of deposition of Blake Graham,
17 who testified on behalf of the State of California, is attached as **Exhibit 6**.

18 8. A true copy of a notice of Rule 30(b)(6) deposition of the State of California that
19 was served by Affeld Grivakes LLP is attached as **Exhibit 7**.

20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct.

22 Executed on this 4th day of June 2020.

23 s/ David Markevitch

24 David Markevitch
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PROOF OF SERVICE

I hereby certify that on June 4, 2020, I electronically filed the foregoing document using the Court's CM/ECF system. I am informed and believe that the CM/ECF system will send a notice of electronic filing to the interested parties.

Dated: June 4, 2020

s/ David Markevitch
David Markevitch